

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

ORION CORPORATION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C. A. No. 07-550-GMS-LPS
	:	
WOCKHARDT USA INC., ET AL.,	:	
	:	
Defendants.	:	

**SUPPLEMENTAL SCHEDULING ORDER**

At Wilmington this 10<sup>th</sup> day of June, 2008.

The Court having issued a partial scheduling order on June 9, 2008 (D.I. 23),

IT IS HEREBY ORDERED that:

1. **Daubert Issues.** The Court will address Daubert issues at the Pretrial Conference. Daubert issues are properly raised as a Motion *in Limine* (to be submitted in accordance with the Motion *in Limine* schedule) and will count toward the five (5) motions permitted per side.

2. **Pretrial Conference.** On October 2, 2009, beginning at 10:00 a.m., Magistrate Judge Stark will hold a Pretrial Conference in Chambers with counsel. Unless otherwise ordered by the Court, the parties should assume that filing the Joint Pretrial Order satisfies the pretrial disclosure requirement in Federal Rule of Civil Procedure 26(a)(3). A sample form of Pretrial Order can be located on this court's website at <http://www.ded.uscourts.gov/GMSmain.htm>. Thirty (30) days before the Joint Proposed Pretrial Order is due, plaintiff's counsel shall forward to defendant's counsel a draft of the pretrial order containing the information plaintiff proposes to include in the draft. Defendant's counsel shall, in turn, provide to plaintiff's counsel any comments on the

plaintiff's draft, as well as the information defendant proposes to include in the proposed pretrial order. The parties shall file with the Court the joint proposed final pretrial order on or before September 4, 2009.

3. **Motions in Limine.** Motions *in limine* shall not be separately filed. All *in limine* requests and responses thereto shall be set forth in the proposed pretrial order. Each party shall be limited to five *in limine* requests, unless otherwise permitted by the Court. The *in limine* request and any response shall contain the authorities relied upon; each *in limine* request may be supported by a maximum of three pages of argument and may be opposed by a maximum of three pages of argument. If more than one party is supporting or opposing an *in limine* request, such support or opposition shall be combined in a single three (3) page submission, unless otherwise ordered by the Court. No separate briefing shall be submitted on *in limine* requests, unless otherwise permitted by the Court.

4. **Trial.** This matter is scheduled for a five-day bench trial before the Honorable Gregory M. Sleet beginning at 9:00 a.m. on November 16, 2009.

In all other respects, the Scheduling Order of June 9, 2008 (D.I. 23) remains in effect.

  
UNITED STATES MAGISTRATE JUDGE